

**DLS**

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**X**

ROCCO J. LAFARO, M.D., ET AL.,

Plaintiff(s),

Case No. 07 CIV 7984

-against-

**AFFIDAVIT OF SERVICE**

NEW YORK CARDIOTHORACIC GROUP, PLLC, ET AL.,

Defendant(s).

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**X**

STATE OF NEW YORK )

S.S.

COUNTY OF ROCKLAND )

DAVID KSIAZEK, being duly sworn, deposes and says that he is over the age of eighteen years, is employed by the attorney service, DLS, INC., and is not a party to this action.

That on the 20<sup>th</sup> day of September, 2007, at approximately the time of 4:40 PM, deponent served a true copy of the SUMMONS AND COMPLAINT upon DAVID SPIELVOGEL, M.D. at New York Cardiorthoracic Group, PLLC, Westchester Medical Center, Macy Pavilion, Room 114W, Valhalla, New York 10595, by personally delivering and leaving the same with NANCY FITZGERALD, a person of suitable age and discretion, who informed deponent that she is authorized by DAVID SPIELVOGEL, M.D. to receive service at that address, the actual place of business.

NANCY FITZGERALD is a white female, approximately 46 years of age, stands approximately 5 feet 5 inches tall, weighs approximately 135 pounds with brown hair and brown eyes.



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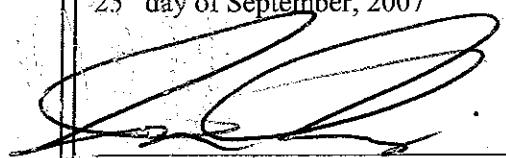
That on the 25<sup>th</sup> day of September, 2007, deponent served another copy of the foregoing upon DAVID SPIELVOGEL, M.D. by first class mail, by enclosing a true copy thereof in a securely sealed and postpaid wrapper with the words "PERSONAL AND CONFIDENTIAL" written on the same envelope, and not indicating on the outside that it is from an attorney or concerns an action against the person to be served, and depositing the same into an official depository maintained by the Government of the United States, City of New York and State of New York, addressed as follows:

DAVID SPIELVOGEL, M.D.  
c/o New York Cardiothoracic Group, PLLC  
Westchester Medical Center  
Macy Pavilion, Room 114W  
Valhalla, New York 10595



DAVID KSIAZEK #0974523

Sworn to before me this  
25<sup>th</sup> day of September, 2007



NOTARY PUBLIC

JONATHAN T. RIPPS  
Notary Public, State of New York  
NO. 01RI6109718  
Qualified in Rockland County  
Certificate Filed in New York County  
Commission Expires May 17, 2008